

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI
Monday - April 16, 1934

This regular meeting of the City Council of the City of Lodi was called to order at 8:09 o'clock P.M. by the Mayor. Councilmen Clark, Keagle, Spooner, Weihe and Steele present. None absent.

The minutes of the adjourned meeting held March 26th and of the regular meeting held April 2, 1934 were read, approved as read and so endorsed by the Mayor.

Mr. Pope, representing the Southern Pacific Company, applied for permission to make certain changes in the tracks of that Company crossing East Elm Street near Main Street, and on motion of Councilman Spooner, Keagle second, the following resolution was then adopted:

RESOLUTION NO. 713

IN THE MATTER OF GRANTING THE)	
CENTRAL PACIFIC RAILWAY CO.)	RESOLUTION
PERMIT TO CONSTRUCT TRACKS ACROSS)	GRANTING PETITION
ELM STREET IN THE CITY OF LODI.)	

A resolution granting to The Central Pacific Railway Company, a Corporation, their successors and assigns, a permit to relocate, lay down, construct, maintain and operate tracks of standard gauge over and across Elm Street in the City of Lodi, County of San Joaquin, State of California, for the purpose of serving an industry with tracks, the particular descriptions of said tracks necessary for the purpose aforesaid being as follows:

DESCRIPTION NO. 1

Beginning at a point on the South Line of Elm Street in the City of Lodi, said point being 210 feet East of the intersection of the South line of Elm Street and the East line of Sacramento Street; thence across Elm Street on curve concave to the right, radius 458.59 feet 81.8 feet; thence on tangent to aforesaid curve 29 feet to the North line of Elm Street said point being 198 feet East of the intersection of the North line of Elm Street and the East line of Sacramento Street.

DESCRIPTION NO. 2

Beginning at a point on the South line of Elm Street in the City of Lodi, said point being 223 feet East of the intersection of the South line of Elm Street and the East line of Sacramento Street; thence across Elm Street on curve concave to the right, radius 458.59 feet 80.8 feet, to the North line of Elm Street, said point being 211 feet East of the intersection of the North line of Elm Street and the East line of Sacramento Street.

DESCRIPTION NO. 3

Beginning at a point on the South line of Elm Street in the City of Lodi, said point being 234 feet East of the intersection of the South line of Elm Street and the East line of Sacramento Street; thence across Elm Street on curve concave to the right, radius 573.14 feet 80.8 feet to the North line of Elm Street, said point being 224 feet East of the intersection of the North line of Elm Street and the East line of Sacramento Street.

(Continuation of minutes of April 16, 1934 and of recital of Resolution No. 713 adopted thereat)

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WHEREAS, The Central Pacific Railway Company did on the 16th day of April 1934, present their Petition and Application to the City Council of Lodi wherein they prayed that permission be granted to them and to their successors and assigns, a permit to relocate, lay down, construct, maintain and operate tracks of standard gauge across Elm Street in the City of Lodi, County of San Joaquin, the center line and location of said tracks being particularly set forth in said petition and application, and hereinafter particularly described; and

WHEREAS, it appearing to the satisfaction of the City Council of the City of Lodi that said tracks as prayed for are necessary in order that said Industry, and Railroad may properly conduct and carry on their business in said City of Lodi, County of San Joaquin;

WHEREAS, it is the judgment of the City Council that said permit be granted to said Railroad, A Corporation, their successors and assigns as prayed for in said Petition and Application.

NOW THEREFORE, BE IT RESOLVED THAT there be and there hereby is granted to the Central Pacific Railway Company, a Corporation, their successors and assigns, a permit and the right, privilege and permission to relocate, lay down, construct, maintain and operate tracks of standard gauge over and across Elm Street in said City of Lodi for the purpose of serving an industry and the center line of which said tracks are all particularly described as follows, to-wit:

DESCRIPTION NO. 1

Beginning at a point on the South line of Elm Street in the City of Lodi, said point being 210 feet East of the intersection of the South line of Elm Street and the East line of Sacramento Street; thence across Elm Street on curve concave to the right, radius 458.59 feet 21.5 feet; thence on tangent to aforesaid curve 29 feet to the North line of Elm Street said point being 198 feet East of the intersection of the North line of Elm Street and the East line of Sacramento Street.

DESCRIPTION NO. 2.

Beginning at a point on the South line of Elm Street in the City of Lodi, said point being 210 feet East of the intersection of the South line of Elm Street and the East line of Sacramento Street; thence across Elm Street on curve concave to the right, radius 458.59 feet 21.5 feet; thence on tangent to aforesaid curve 29 feet to the North line of Elm Street said point being 198 feet East of the intersection of the North line of Elm Street and the East line of Sacramento Street.

DESCRIPTION NO. 3.

Beginning at a point on the South line of Elm Street in the City of Lodi, said point being 234 feet East of the intersection of the South line of Elm Street and the East line of Sacramento Street; thence across Elm Street on curve concave to the right, radius 573.14 feet 28.5 feet to the North line of Elm Street, said point being 224 feet East of the intersection of the North line of Elm Street and the East line of Sacramento Street.

That this permit to relocate, lay down, construct, maintain and operate said railroad tracks is granted subject:

(Continuation of minutes of April 16, 1934 and of recital of Resolution No. 713 adopted thereat)

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1. To such regulations and conditions as may be prescribed from time to time by the City Council of the City of Lodi.
2. To the use of said tracks for the transportation of freight only.
3. That said tracks will be laid in accordance with the grades as defined on attached map.
4. That it must be operated under such restrictions as not to interfere with the use of said street by the public, and
5. That this permit shall be revocable at the pleasure of the City Council of the City of Lodi.

The foregoing Resolution No. 713 was thereupon adopted by the following vote:

AYES: Councilmen Spooner, Keagle, Clark, Weihe and Steele.
NOES: Councilmen None.
ABSENT: Councilmen None.

Mr. L. E. Rinn then appeared before the City Council in regard to the offer of L. F. Mason to sell the property generally known as Smith's Lake to the City for the sum of Five Thousand (\$5000.00) Dollars. At the order of the Mayor the matter was taken under advisement and consultation with the City Attorney.

Don Tonini appeared in regard to the use of the baseball ground in Lawrence Park. He said that Mrs. Lawrence and Mrs. Murray would allow the grounds immediately west of the Park, without rent, for the use of boys under sixteen years of age, this not to be a commercial diamond. He also asked that definite dates be allocated to the American Legion team for the use of the City Diamond. Councilman Weihe stated that there were two teams now using the regular baseball diamond on Sundays, - the Lodi Merchants and the Japanese team.

Mr. H. M. Sharpe then addressed the Council in regard to allotting some time for use by the ball team sponsored by the Knights of Pythias. Mr. Weihe stated that he had given them tentative dates but on account of other applications had to cancel them.

Councilman Clark offered the suggestion that the parties representing the several teams should present schedules to the Park Committee after having worked out the details among themselves, and it was so ordered.

The Clerk read a letter from Mr. Robert M. Searles stating the City's present position in regard to the appeal from the Jones decision to the Supreme Court. He also read a letter from Orrick, Palmer & Dahlquist in regard to the \$80,000.00 bonds held by the City.

Correspondence between Mr. W. A. Spooner as Chairman of the Committee on Public Utilities with Mr. Walter L. Huber of the Consulting Engineers' staff was read at length and ordered filed.

The reports of the City Clerk and of the City Treasurer for the quarter ended March 31, 1934 were presented, read and ordered filed.

Councilman Spooner then introduced Resolution No. 714:

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RESOLUTION NO. 714:

WHEREAS, Mr. Walter Leroy Huber, Consulting Engineer, Crocker-First National Bank Building, San Francisco, California, heretofore retained by this City in matters pertaining to the construction of a hydro-electric power plant on the Mokelumne River, has furnished under date of April 11, 1934, certain estimates of the cost and of time necessary to make final surveys for the construction of said hydro-electric plant;

AND, WHEREAS, there will be submitted to the electors of the City of Lodi on April 23, 1934, a proposition for the issuance of bonds for the construction of said plant, which bond issue is conditioned upon a satisfactory grant from the United States Government;

AND, WHEREAS, it will be of material advantage that the minimum of time be consumed in preparation for the actual construction of said plant, should said bond election carry and should said grant be made;

BE IT RESOLVED, THEREFORE, that the said Walter Leroy Huber be, and he is hereby instructed and directed to proceed with the necessary surveys for the final location of the dam, power-plant and accessories thereto immediately upon approval of the bond issue by the electors of this City and upon notification that the Federal Government has made a grant of money satisfactory to this City Council, it being understood that none of such work shall be performed unless said bond issue is approved and said grant of money made.

The foregoing Resolution No. 714 was thereupon adopted by the following vote:

AYES: Councilmen Spooner, Weihe, Clark, Keagle and Steele.
NOES: Councilmen None
ABSENT: Councilmen None.

In the matter of the election held April 9, 1934, this being the first meeting of the Council following said election, the following resolution was introduced and adopted:

RESOLUTION NO. 712

RESOLUTION DECLARING RESULT OF ELECTION.

WHEREAS, a general municipal election was held and conducted in the City of Lodi on Monday, the 9th day of April, 1934 as required by law,

AND WHEREAS, it appears that notice of said election was duly and legally given, that voting precincts were properly established, that election officers were appointed and election supplies furnished, and that in all respects said election was held and conducted and the votes cast thereat received and canvassed, and the returns thereof made, determined and declared in time, form and manner as required by the general laws of the State providing for and regulating municipal elections in cities of the fifth and sixth class.

AND WHEREAS, the city council of said City of Lodi met at the council chamber thereof on Monday, the 16th day of April, 1934 to canvass the returns of said election and install the newly elected officers; and whereas the council finds as a result of said canvass that the number of votes cast, the names of the persons voted for, and other matters required by law, to be as hereinafter stated, now therefore it is hereby

(Continuation of minutes of April 16, 1934 and of the recital of Resolution No. 712)

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RESOLVED, determined and declared as follows:

That said regular municipal election was held and conducted in the City of Lodi, California on Monday, the 9th day of April, 1934 in time, form and manner as required by law.

That there were four voting precincts established in said City for the purpose of holding said election, as follows:

Consolidated Voting Precinct A, consisting of State and County election precincts numbers 1, 2, 4, 5 and 14 as established for holding state and county elections;

Consolidated Voting Precinct B, consisting of State and County election precincts numbers 3, 6 and 7 as established for holding State and County elections.

Consolidated Voting Precinct C consisting of State and County election precincts 10, 11 and 13;

Consolidated Voting Precinct D consisting of State and County election precincts numbers 8, 9 and 12;

That the whole number of votes cast in said City of Lodi at said election was 4,336;

That the names of the persons voted for, the officers for which they were voted, the number of votes received by each of said persons in each of said precincts, together with the whole number of votes which they received in the entire city, are as follows:

Names of Persons Voted For	VOTES RECEIVED				A V	
	Pre-	Pre-	Pre-	Pre-	S O	
	inct	inct	inct	inct	S I	
	A	B	C	D	TOTAL	TOTAL
<u>For Councilman, Full Term</u>						
Herman J. Pink	98	33	43	59	213	213
Emil P. Graffigna	211	99	122	87	519	519
George G. Kepper	10	7	10	12	39	39
Elmer S. Jones	66	60	83	124	333	333
George A. Keagle	269	157	125	78	629	630
William F. Meeske	214	126	108	98	546	546
G. M. Steele	251	131	123	93	598	599
Harry J. Polliwer	66	46	42	66	220	220
Otto A. Weihe	301	154	135	99	689	690
John H. Youngman	10	15	44	73	142	142
Sam H. Zimmerman	170	100	59	76	405	405
	1,565	928	894	845	4,333	4,336

RESOLVED, therefore, that at said general municipal election held in the City of Lodi, April 9th, 1934, the following persons were elected to the following offices, respectively:

George A. Keagle was re-elected a member of the city council for the full term of four years from and after Monday, April 16, 1934 and until his successor is elected and qualified;

G. M. Steele was re-elected a member of the city council for the full term of four years from and after Monday, April 16, 1934, and until his successor is elected and qualified;

Otto A. Weihe was re-elected a member of the City Council for the full term of four years from and after Monday, April 16, 1934, and until his successor is elected and qualified.

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The foregoing Resolution No. 712 was thereupon adopted by the following vote:

AYES: COUNCILMEN Spooner, Keagle, Clark, Weihe & Steele (Mayor)
NOES: COUNCILMEN None
ABSENT: COUNCILMEN None.

The City Council then adjourned sine die on motion of Councilman Weihe.

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Immediately following the adjournment taken as above, the Clerk called the City Council to order, and Councilmen Keagle, Steele and Weihe were administered the statutory oaths of office and took their seats.

On motion of Councilman Spooner, Weihe second, unanimously carried, G.M. Steele was re-elected to the office of Mayor and opened the meeting.

A communication was received from Foster & Wood Carring Company asking that Foxey Street from Cherokee Lane to the Southern Pacific Railroad be made a through street or boulevard. The matter was referred to the committee on streets and highways and to the Chief of Police.

Councilman Weihe asked for benches for Lawrence Park. No action taken.

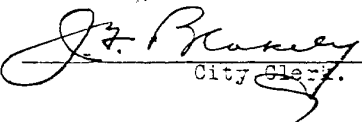
On motion of Councilman Weihe, Clark second, the clerk was instructed to bill electric energy used for agricultural pumping on the "C" rate instead of under the "D" rate as provided by ordinance.

Mayor Steele spoke in regard to the Mothers Day concert to be held May 13th in the public park, and on his motion, seconded by Councilman Spooner the sum of One Hundred (\$100.00) Dollars was donated toward the expense of the concert.


Bills in the amount of \$3519.14 as approved by the Finance Committee were allowed and ordered paid on motion of Councilman Weihe, Clark second.

On motion of Councilman Weihe the City Council then adjourned to and until 8 o'clock P.M. of Monday, April 30, 1934.

Attest:


City Clerk.

The foregoing minutes of two meetings of the City Council of the City of Lodi were read and approved without objection at a subsequent regular meeting held May 7, 1934.


Mayor of the City of Lodi

May 7, 1934.